

BILL ANALYSIS

H.B. 1181
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that current law makes defendants who are finally convicted of a crime responsible for the court costs associated with their case. However, these parties point to a county's recent report that its courts had accumulated large amounts of uncollected court costs that were over five years past due and owed by defendants who were either deceased or sentenced to life imprisonment. The parties contend that the cost of collecting these fees outweighs the fees' value and that counties should have the ability to remove the fees from county fee records. H.B. 1181 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1181 amends the Code of Criminal Procedure to authorize any officer authorized to collect and keep records of court fees or items of cost for criminal cases to request the trial court in which a criminal action or proceeding was held to make a finding that a fee or item of cost imposed in the action or proceeding is uncollectible if the officer believes the defendant is deceased, the defendant is serving a sentence for imprisonment for life or life without parole, or the fee has been unpaid for at least 10 years. The bill authorizes the court to order the officer on such a finding to designate the fee or item of cost as uncollectible in the fee record and requires the officer to attach a copy of the court's order to the fee record.

EFFECTIVE DATE

September 1, 2015.